

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAMARR HOLIDAY,**

**Defendant.**

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**CASE NO. 8:06CR243**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on the Defendant's motion for leave to file a motion to suppress (Filing No. 224) in this proceeding involving an alleged supervised release revocation.

Holiday anticipates arguing Fourth Amendment issues. The Eighth Circuit has stated that, absent a showing of harassment, the exclusionary rule does not apply to hearings regarding supervised release revocations. *United States v. Charles*, 531 F.3d 637, 640 (8<sup>th</sup> Cir. 2008). Holiday has not made a showing of harassment.

IT IS ORDERED that the Defendant's motion for leave to file a motion to suppress (Filing No. 224) is denied.

DATED this 8<sup>th</sup> day of September, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge